

1 MICHAEL E. DERGOSITS (SBN 118206)
2 TEDDY K. JOE (SBN 242589)
3 DERGOSITS & NOAH LLP
4 Three Embarcadero Center, Suite 410
5 San Francisco, CA 94111
6 Telephone: (415) 705-6377
7 Facsimile: (415) 750-6383
8 Email: mdergosits@dergnoah.com
Email: tjoe@dergnoah.com

9 Attorneys for Plaintiffs

10 VINOVATION, INC. and
11 OENOvation INTERNATIONAL LLC

12 ROTHWELL, FIGG, ERNST &
MANBECK, P.C.
13 R. Danny Huntington (*pro hac vice*)
14 1425 K Street, N.W. Suite 800
Washington, D.C. 20005
Main No.: (202) 783-6040
Fax No.: (202) 783-6031
Email: dhuntington@rfem.com

15 LAW OFFICE OF JUDITH S.H. HOM
JUDITH S.H. HOM (SBN 203482)
16 236 West Portal Ave. #500
San Francisco, CA 94127
Telephone: (415) 845-6220
Facsimile: (415) 665-5933
Email: jshom@me.com

17 Attorneys for Defendant
VA FILTRATION USA LLC

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 VINOVATION, INC., a California
corporation, and OENOvation
INTERNATIONAL LLC, a California
corporation,

21 Plaintiffs,

v.

22 VA FILTRATION USA LLC, a California
corporation,

23 Defendant.

24 Civil Action No.: 3:06-cv-02026-JSW

25 **STIPULATED REQUEST FOR
FOURTH ORDER ENLARGING TIME
PURSUANT TO CIVIL L.R. 6-2
AND ORDER THEREON**

1 WHEREAS, a Case Management Conference was held for this case on August 7, 2009;
 2 and the Court issued an Amended Order Scheduling Trial and Pretrial Matters on August 11,
 3 2009 (D.I. 49);

4 WHEREAS, a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2
 5 was filed on August 14, 2009 (D.I. 52) and the Order granted on August 17, 2009 (D.I. 54);

6 WHEREAS, a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2
 7 was filed on October 19, 2009 (D.I. 55) and the Order granted on October 20, 2009 (D.I. 56);

8 WHEREAS, a Stipulated Request for an Order Enlarging Time pursuant to Civil L.R. 6-2
 9 was filed on October 30, 2009 (D.I. 57) and the Order granted on November 2, 2009 (D.I. 58);

10 WHEREAS, pursuant to the Court's Order Enlarging Time and the previous amended
 11 scheduling order, Defendant VA Filtration USA LLC's Invalidity Contentions pursuant to Patent
 12 L.R. 3-3 are to be served on all parties by November 9, 2009; and all parties are to exchange
 13 Proposed Terms for Construction pursuant to Patent L.R. 4-1 by November 18, 2009 and
 14 Preliminary Claim Constructions pursuant to Patent L.R. 4-2 by November 30, 2009;

15 WHEREAS, the parties exchanged multiple drafts of a Memorandum of Understanding
 16 ("MOU") and are currently working diligently on finalizing the MOU and then preparing a
 17 complete settlement agreement;

18 WHEREAS, the undersigned counsel, met, conferred and agreed that the dates for service
 19 of Patent L.R. 3-3 Disclosures, Patent L.R. 4-1 Terms and the Patent L.R. 4-2 Joint Claim
 20 Construction Statement should be extended for a thirty day period as follows:

Event	Old Deadline	New Deadline
Invalidity Contentions (Patent L.R. 3-3, 3-4)	November 9, 2009	December 9, 2009
Proposed Terms for Construction (Patent L.R. 4-1(a))	November 18, 2009	December 18, 2009
File Joint Claim Construction Statement (Patent L.R. 4-4)	November 30, 2009	December 30, 2009

Other Patent Local Rule Deadlines, Trial Dates and Pretrial Dates set by the court in its August 11, 2009 Order will not be effected.

NOW THEREFORE, IT IS STIPULATED, AGREED AND ORDERED that the date for serving Invalidity Contentions shall be extended to December 9, 2009; and the date for exchanging Proposed Terms for Construction shall be extended to December 18, 2009; and the date for filing the Joint Claim Construction Statement shall be extended to December 30, 2009.

Dated: November 9, 2009

ROTHWELL, FIGG, ERNST & MANBECK

By: Danny Huntington /s/

Attorney for Defendant
VA FILTRATION USA LLC

Dated: November 9, 2009

DERGOSITS & NOAH LLP

Attorney for Plaintiffs VINOVATION, INC.
and OENOVATION INTERNATIONAL
LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: November 10, 2009

By: Jeffrey S. White
THE HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE